

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY POWER COMPANY

and

GTE SOUTH INCORPORATED

ALLEGED FAILURE TO COMPLY WITH
COMMISSION REGULATIONS

CASE NO.
89-258

ORDER TO SHOW CAUSE

Kentucky Power Company ("Kentucky Power"), which engages in the distribution of electricity to the public, for compensation, for light, heat, power, and other uses, is a utility under the jurisdiction of the Commission.

GTE South Incorporated ("GTE"), which engages in the transmission over wire of messages by telephone for the public, for compensation, is a utility under the jurisdiction of the Commission.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated Commission Regulation 807 KAR 5:041, Section 3, which requires electric utilities to maintain their plants in accordance with the standards of the National Electrical Safety Code (1981 edition),

and Commission Regulation 807 KAR 5:061, Section 2, which requires telephone utilities to do likewise.

Commission Staff has submitted to the Commission an Electrical Utility Accident Investigation Report dated August 23, 1989, attached hereto as Appendix A, which alleges:

1. On July 20, 1989, Johnny Minks was fatally injured in Lost Creek, Kentucky, when he came into contact with a 7200 volt single phase overhead line owned and maintained by Kentucky Power. At the time of the incident, Mr. Minks was attempting to install a CB antenna on the roof of a building.

2. At the time of the incident, the electric utility lines hanging over the building, the 7200 volt single phase, a neutral conductor, and a lash secondary line, all owned and maintained by Kentucky Power, failed to comply with the minimum vertical clearance standards for above-ground wires and conductors as established by National Electrical Safety Code Rule 234C2. The communications conductor, which hung over the building and was owned and maintained by GTE, also failed to comply with these standards.

3. Kentucky Power violated Commission Regulation 807 KAR 5:041, Section 3, by failing to comply with the standards of the National Electrical Safety Code.

4. GTE violated Commission Regulation 807 KAR 5:061, Section 2, by failing to comply with the standards of the National Electrical Safety Code.

WHEREFORE, the Commission, on its own motion, HEREBY ORDERS that:

1. Kentucky Power and GTE shall each submit to the Commission a written response to the allegations contained in the Electrical Utility Accident Investigation Report within 20 days of the date of this Order.

2. Kentucky Power and GTE shall appear on November 15, 1989 at 1:00 p.m., Eastern Standard Time, in Hearing Room No. 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purposes of presenting evidence concerning the incident which is the subject of the Electrical Utility Accident Investigation Report, specifically the alleged violations of Commission Regulations 807 KAR 5:041, Section 3, and 807 KAR 5:061, Section 2, and of showing cause, if any they can, why they should not be subjected to the penalties of KRS 278.990 for their alleged failure to comply with Commission Regulations.

3. The Electrical Utility Accident Investigation Report dated August 23, 1989 is hereby made a part of the record of this case.

Done at Frankfort, Kentucky, this 19th day of September, 1989.


PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:

Executive Director


Commissioner

APPENDIX A
APPENDIX TO AN ORDER
OF THE KENTUCKY PUBLIC SERVICE COMMISSION
IN CASE NO. 89-258 DATED 9/19/89

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 8/23/89 SUBMITTED BY John W. Land
NAME OF UTILITY Kentucky Power (Hazard Division)
ACCIDENT REPORTED BY Wayne Edwards-Safety and Health Manager
DATE & TIME UTILITY LEARNED OF ACCIDENT 7/20/89--5:05 P.M.
DATE & TIME ACCIDENT REPORTED 7/20/89--8:50 P.M.
DATE AND TIME ACCIDENT OCCURRED 7/20/89-4:50 P.M.
DATE OF ACCIDENT INVESTIGATION 7/21/89
DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 7/26/89
PERSONS ASSISTING IN THE INVESTIGATION P.R. Williamson Human Resources
Supervisor-R.J. Eversole Engineer Supervisor-Glen Combs Draftsman-
Paul Pratt Serviceman-Steve Campbell Serviceman, all personnel of
Kentucky Power.
NAME OF VICTIM(S) 1. John Minks SEX M AGE _____
FATAL No NAME OF EMPLOYER: Self Employed
INJURIES Second degree burns to face; third degree burns to legs.

2. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

3. _____ SEX _____ AGE _____
FATAL _____ NAME OF EMPLOYER: _____
INJURIES _____

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

LOCATION OF ACCIDENT SITE Mr. Ed. Gregory Heavy Equipment Repair
Garage off Hwy. 15 West of Hazard near Lost Creek, Kentucky.

DESCRIPTION OF ACCIDENT Mr. Johnny Minks and Mr. Tom Mullins were
alleged to have been attempting to install a CB Antenna on a building
belonging to Mr. Ed Clemons and leased by Mr. Ed Gregory. Mr. Johnny
Minks apparently made accidental contact with a 7,200 volt overhead
line, while attempting to install top section of CB Antenna on bot-
tom section which had already been installed on end of this building.

SOURCE OF INFORMATION Mr. P.R. Williamson, Mr. R.J. Eversole, Mr. Glen
Combs, Mr. Paul Pratt, Mr. Steve Campbell employees of Kentucky
Power's Hazard Division. There was also an onsite investigation made
by myself John W. Land of the Public Service Commission's Engineering
staff, plus utility, coroner and EMT accident reports. I also tried
to interview Mr. Tim Mullins but was unable to do so. Hospital was
unable to obtain any information on Mr. Minks.

VIOLATIONS OF COMMISSION REGULATIONS There is a low clearance of
primary conductor to structure, secondary 1/0 lash conductor to struc-
ture and telephone conductor to structure at this location. Mr. Ed
Gregory's Garage, Hwy. 15, Lost Creek, Kentucky. Kentucky Power's
single phase and lash secondary lines are in violation of 807 KAR
5:041, Section 3(1) 1981 NESC Edition Table 234-1 (Vertical). (See
line clearances of this report) General Telephone's phone cable is
in violation of KAR 5:061, Section 2(1) 1981 Edition Table 234-1
(Vertical) (See Line Clearances of this report.)

LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC 1981 Edition</u>
A. AT POINT OF ACCIDENT		
Phase conductor to ground elevation:	<u>31'-2"</u>	<u>20'-0"</u>
Neutral conductor to ground elevation:	<u>25'-5"</u>	<u>18'-0"</u>
Lash Secondaries to ground:	<u>25'-5"</u>	<u>18'-0"</u>
Communication conductor to ground elevation:	<u>23'-1"</u>	<u>18'-0"</u>
Phase conductor to structure:	<u>5'-5 1/2</u>	<u>10'-0"</u>
Neutral conductor to structure:	<u>0'-0"</u>	<u>3'-0"</u>
Lash Secondaries to structure:	<u>0'-0"</u>	<u>3'-0"</u>
Communication conductor to structure:	<u>0'-0"</u>	<u>3'-0"</u>
B. AT LOWEST POINT OF SPAN		
Phase conductor to ground elevation:	<u>31'-2"</u>	<u>20'-0"</u>
Neutral conductor to ground elevation:	<u>25'-5"</u>	<u>18'-0"</u>
Communication conductor to ground elevation:	<u>23'-1"</u>	<u>18'-0"</u>

C. SPAN LENGTH 247'

Date the line or facilities were constructed: December, 1985

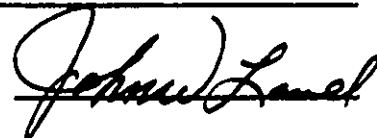
Utility: Kentucky Power - Hazard Division

Date: 7/21/89 Time 12:00 P.M.

Approximate temperature: 88 Degrees F

Measurements made by: R.J. Eversole Engineer-Paul Pratt Serviceman
of Kentucky Power - Hazard Division and witnessed by John W. Land
of the Commission Engineering staff.

Submitted by:



F. S. C.
ACCIDENT AND TROUBLE REPORT FORM

TODAY'S DATE 7/20/89 TIME 8:50 PM

COMPANY KY POWER - Hazard Division

PERSON REPORTING INCIDENT: NAME: Wayne Edwards

TITLE: Safety and Health Mgr.

ADDRESS: Ashland, Ky

PHONE NO: 606-327-1271

ACCIDENT DESCRIPTION: C.B. ANTENNA CONTACT 7200 Volt Single Phase Overhead Line

VICTIMS NAMES: John Mink SEX M AGE DEATH INJURY ✓

SEX AGE DEATH INJURY

SEX AGE DEATH INJURY

LOCATION OF ACCIDENT: Ed. Gregory - Heavy Equipment Repair Garage Lost Creek, Ky on Hwy 15 West of Hazard.

TIME OF OCCURRENCE: Call taken at 5:05 P.M. 7/20/89

TROUBLE DESCRIPTION: Single Phase Tap out

TIME OF OCCURRENCE: 4:50 P.M.

TIME OF RESUMPTION OF NORMAL SERVICE: 7:15 P.M.

NUMBER OF CUSTOMERS AFFECTED: (2) Two each

SIGNED John Land

DATE 7/20/89

1701 Central Avenue
P. O. Box 1428
Ashland, KY 41105-1428
606-327-1111



RECEIVED

Claude G. Rhorer, Jr., Director
Division of Engineering and Services
Public Service Commission
730 Schenkel Lane
PO Box 615
Frankfort, KY 40602

~~APR 19 1989~~
Jul 26, 1989
DIVISION OF UTILITY
ENGINEERING & SERVICES

July 24, 1989

Dear Mr. Rhorer:

Attached is the Summary Written Report for a public contact accident which occurred in Kentucky Power Company's Hazard Division. This accident happened July 20, 1989 and resulted in non-fatal burns to Mr. Johnny Minks of Viper, Kentucky.


Supplemental information as requested by Mr. John Land will be provided as quickly as it becomes available. Any questions should be directed to me at 606/327-1271.

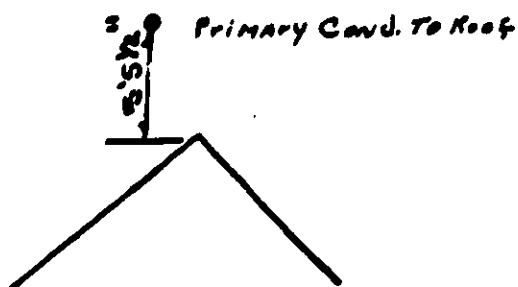
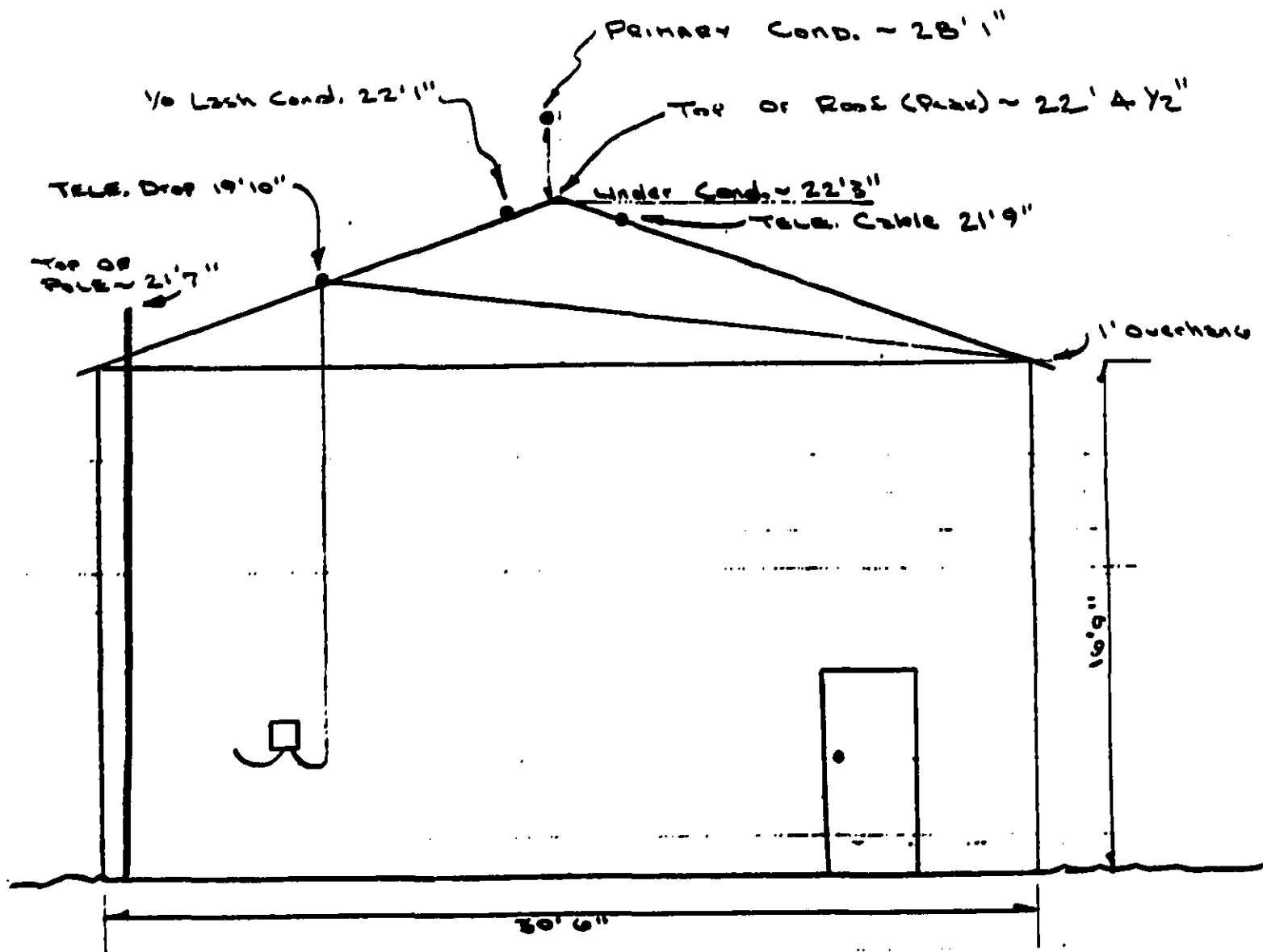
Sincerely,

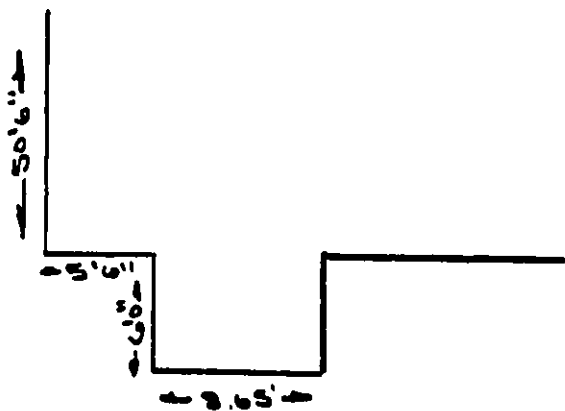
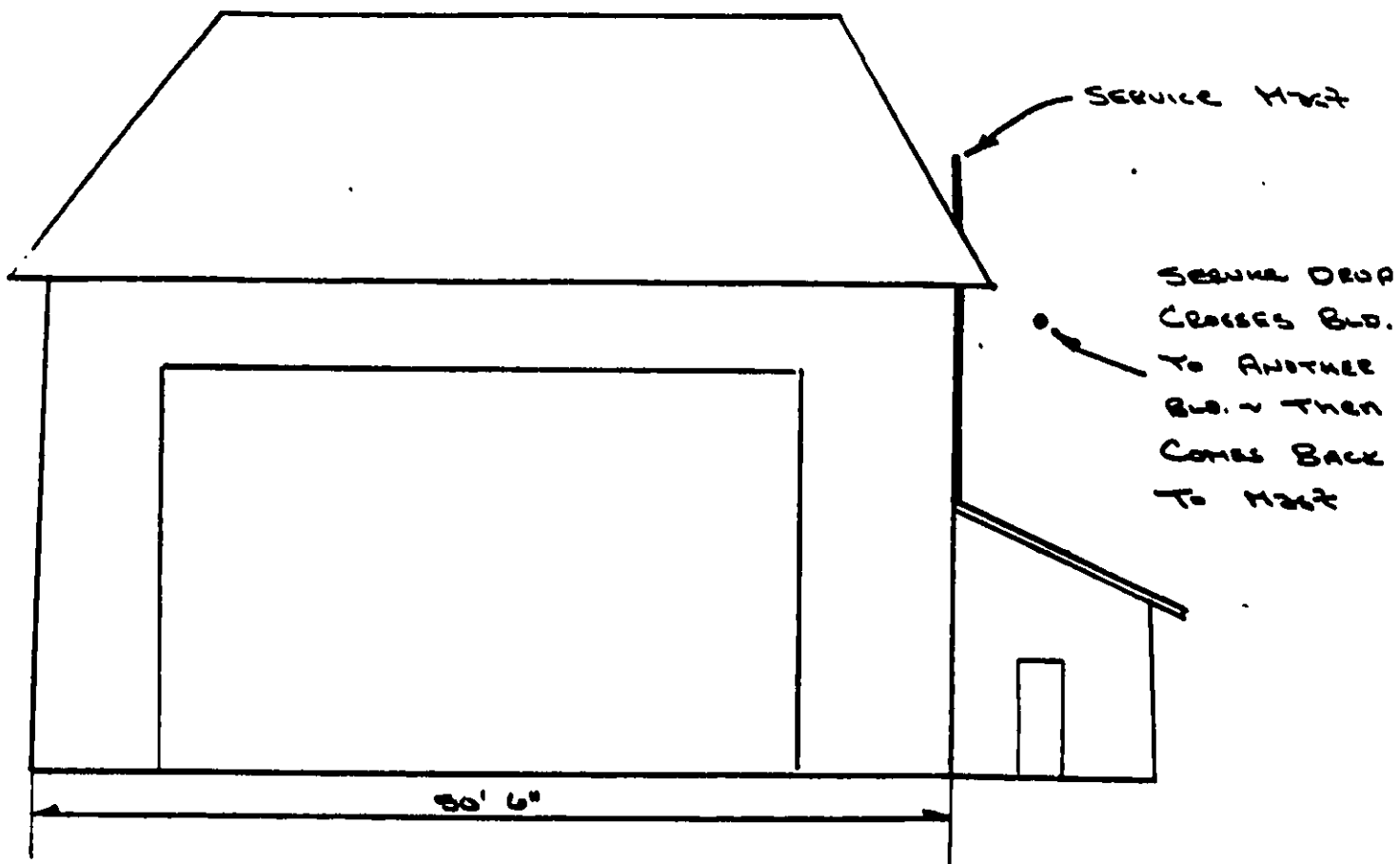
A handwritten signature in cursive script, appearing to read "Wayne B. Edwards".
Wayne B. Edwards
Safety and Health Manager

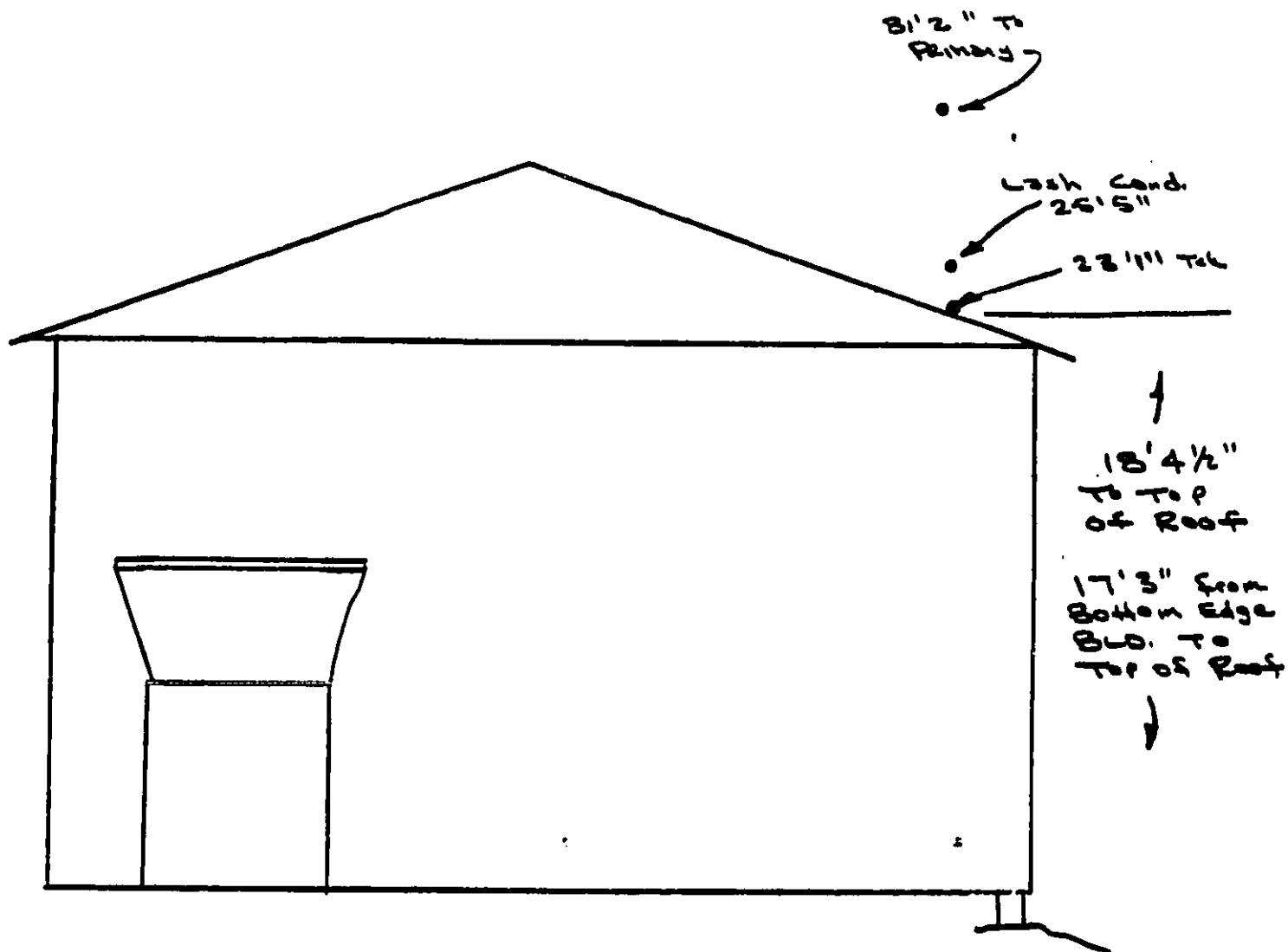
c
Attachment

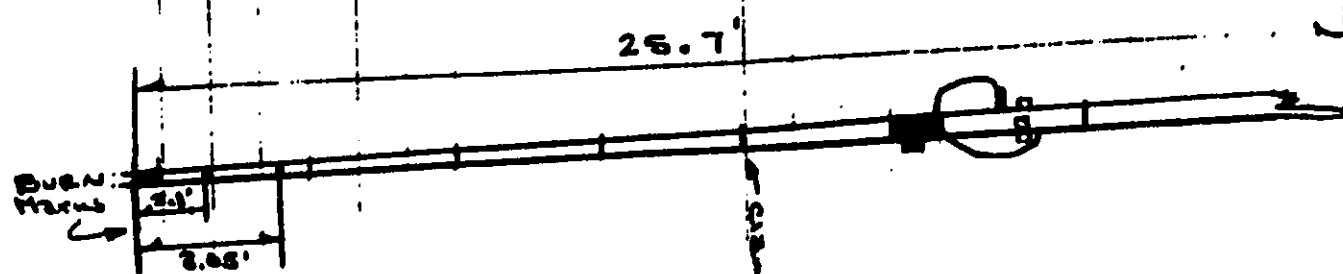
KENTUCKY POWER
PUBLIC ACCIDENT NOTICE
SUMMARY REPORT

(1) Injured person	Name Johnny Minks		Age
	Address Rt. 43D, Viper, Kentucky 41774		Phone: Home Bus. 606-439-4036
	Occupation Sales & Installation of Radio Equipment	Employed by Self	
(2) & place	Date & Time of Loss or Accident 7-20-89 5:00 AM	Location Rt. 15 and Lost Creek, Ky.	Division Hazard
	Nature & Extent of Injury 2nd degree facial burns; 3rd degree leg burns		
(3) Injury	Where was injured taken after accident Middle Ky. River Hospital, Jackson, Kentucky		Name of Doctor
(4) Party name	Owner		Phone: Home Bus.
	Address		
	Last Damage		Estimated cost
(5) Witnesses	Name Tim Mullins		Phone: Home 606-476-2136 Bus.
	Address Accup Creek		
	Name		Phone: Home Bus.
	Address		
	Name		Phone: Home Bus.
	Address		
(6) Description of incident	Obtain the names and addresses of disinterested witnesses who know anything about the occurrence including date, badge No. or name of police authority to whom the accident was reported.		
	Mr. Minks and Mr. Mullins were installing a CB antenna on top of a building.		
	During the installation process, part of the antenna made contact with an energized 7200 volt line.		
It is important that any article, part or appliance causing the occurrence be carefully preserved. Attach sketch if appropriate.			
Date 7-24-89		Signature 	









44

Kentucky Power Company
608 High Street
P. O. Box 958
Hazard, KY 41701-0958
606-436-1212



RECEIVED

AUG 08 1989

DIVISION OF UTILITY
ENGINEERING & SERVICES

Public Service Commission
730 Schenkel Lane
Box 615
Frankfort, Kentucky 40602

August 7, 1989

Attn: John Land

Subject: Johnny Minks 7-20-89

Dear John:

Per your request, the system inspection was performed on the accident site on March 27, 1989.

The inspection is completed by using a distribution map and checking off each pole and the equipment on it. When the technician completes the inspection, any system deficiencies are posted to our inspection inventory sheet. Jobs would then be issued to correct any problem. The inventory inspection sheet is maintained chronologically.

Attached is the inspection inventory sheet for the March 27, 1989 period. You will note that no work was released at that time.

Additionally, you requested the EMT report. Mr. Ron Montgomery with Crawford and Company is in the process of obtaining this report.

Feel free to contact me if you require additional information.

Very truly yours,

P. R. Williamson
P. R. Williamson
Human Resources Supervisor

PRM:cr

Attachment

CC: Wayne B. Edwards W/A

INSPECTION - INVENTORY

[illegible]

Kentucky Power Company
808 High Street
P. O. Box 958
Hazard, KY 41701-0958
606-436-1212



RECEIVED

AUG 01 1989

**DIVISION OF UTILITY
ENGINEERING & SERVICES**

Mr. John Land
Public Service Commission
730 Schankel Lane
P. O. Box 615
Frankfort, Kentucky 40602

Re: Johnny Minks Accident 7-20-89

July 31, 1989

Dear Mr. Land:

Per your request, I have enclosed copies of the drawings of the building Mr. Minks was working on, the antenna he was installing, distribution map 102 with the system inspection date of March 27, 1989 in the upper lefthand corner and right-of-way map 102.

Mr. Ron Montgomery, with Crawford and Company, has been requested to obtain a copy of the EMT report. In addition, Mr. Montgomery is attempting to find out the details of when the building was erected. This information will be provided as soon as it is obtained.

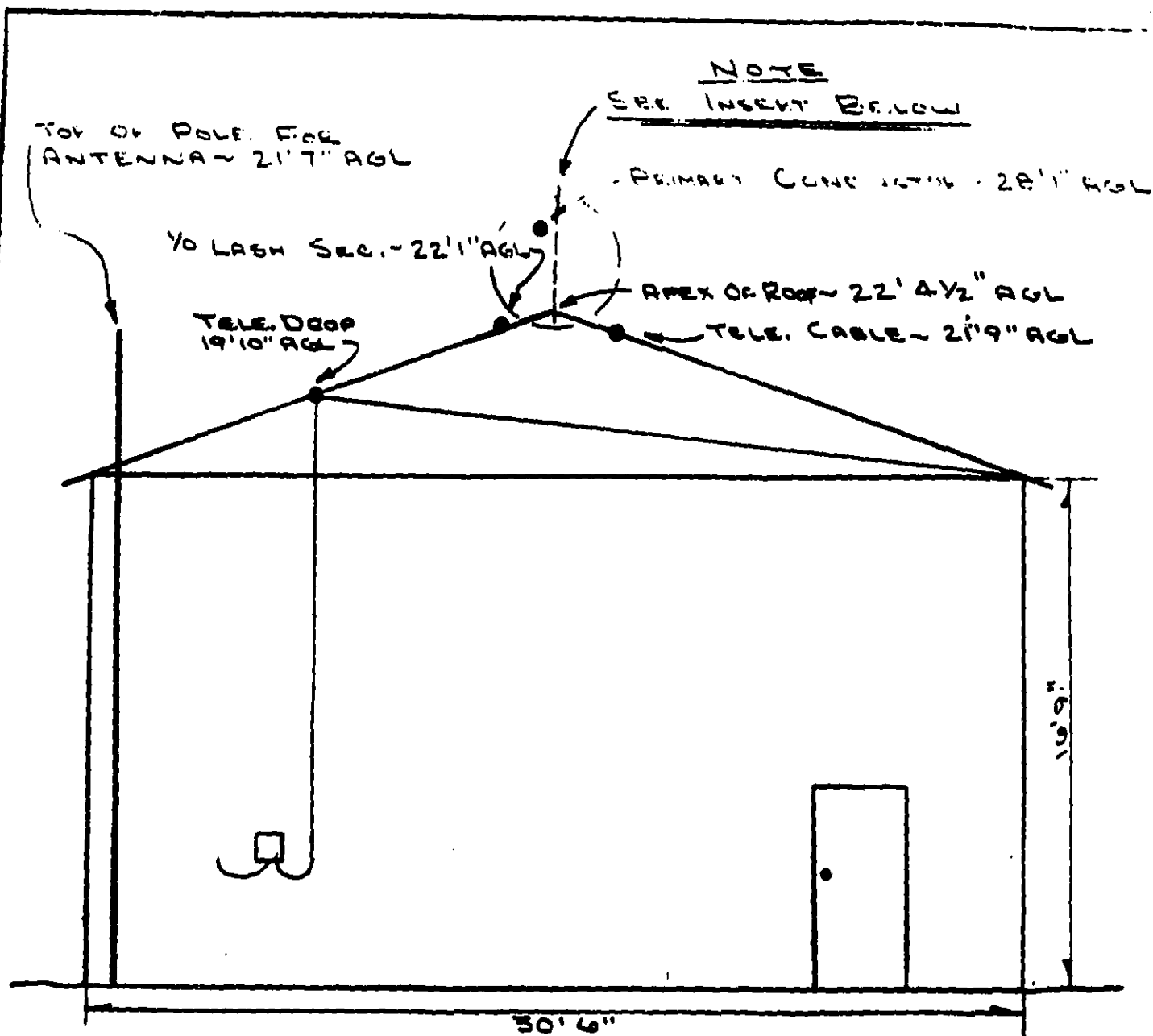
If you have additional questions, feel free to call on me.

Yours very truly,

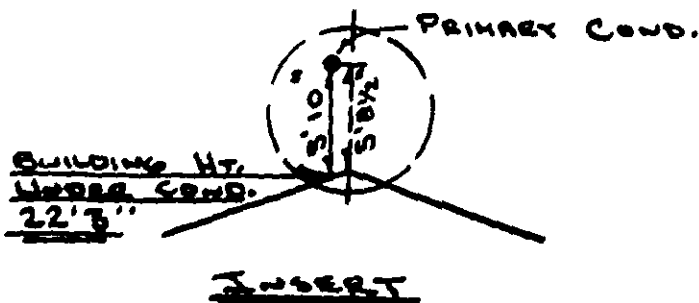
P. R. Williamson
P. R. Williamson
Human Resources Supervisor

Enclosures

cc: W. B. Edwards - w/o enclosures

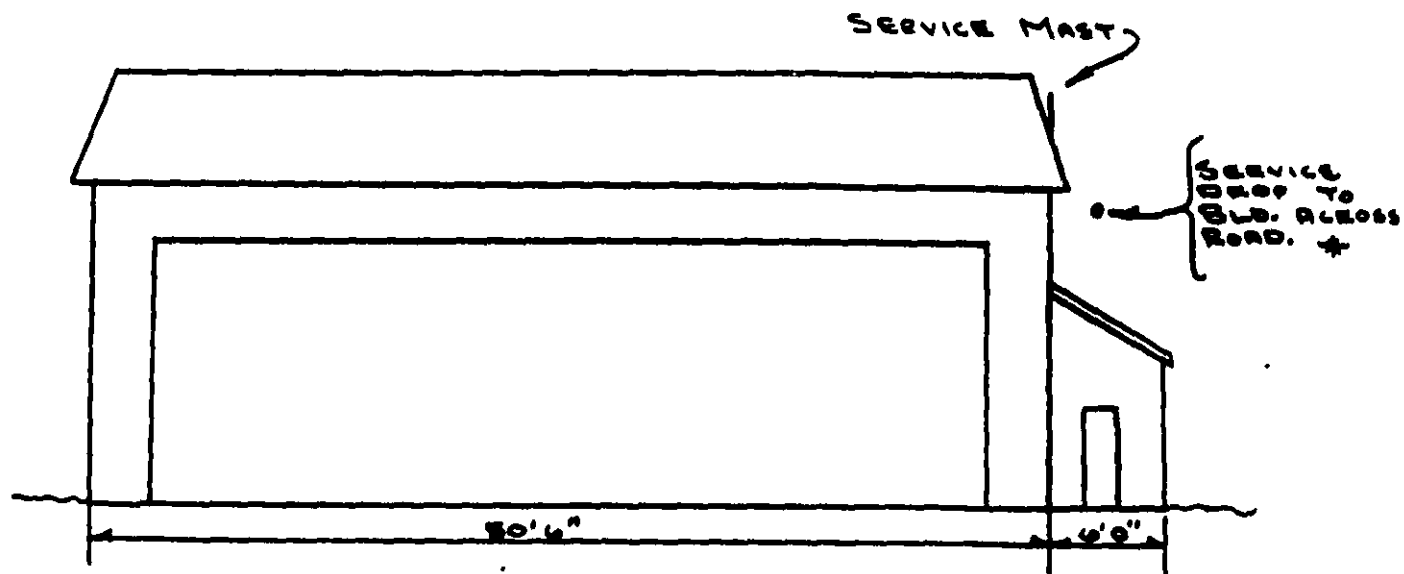


NOTE: AGL = ABOVE GROUND LEVEL



KENTUCKY POWER COMPANY	
ENGINEERING DEPARTMENT	
HAZARD	KENTUCKY
JOHNNY MINKS	
ACCIDENT ON 7-20-89	
VED, KY.	
LENGTH	M.O. OR L.O.
R.W. PUBLIC	W.O. NO.
R.W. PRIVATE	LINE NO.
R.O.W.	DISTRICT
DRAWN BY G.C.	TYPE LINE
SCALE 1" = 10'	TAX DIST.
DATE 7-24-89	MAP NO.

SURVEYED BY B.W., E.A.E., G.C.



*

SERVICE DROP TO THIS BUILDING
COMES BACK FROM THE SERVICE
SHOWN ABOVE.

KENTUCKY POWER COMPANY
ENGINEERING DEPARTMENT

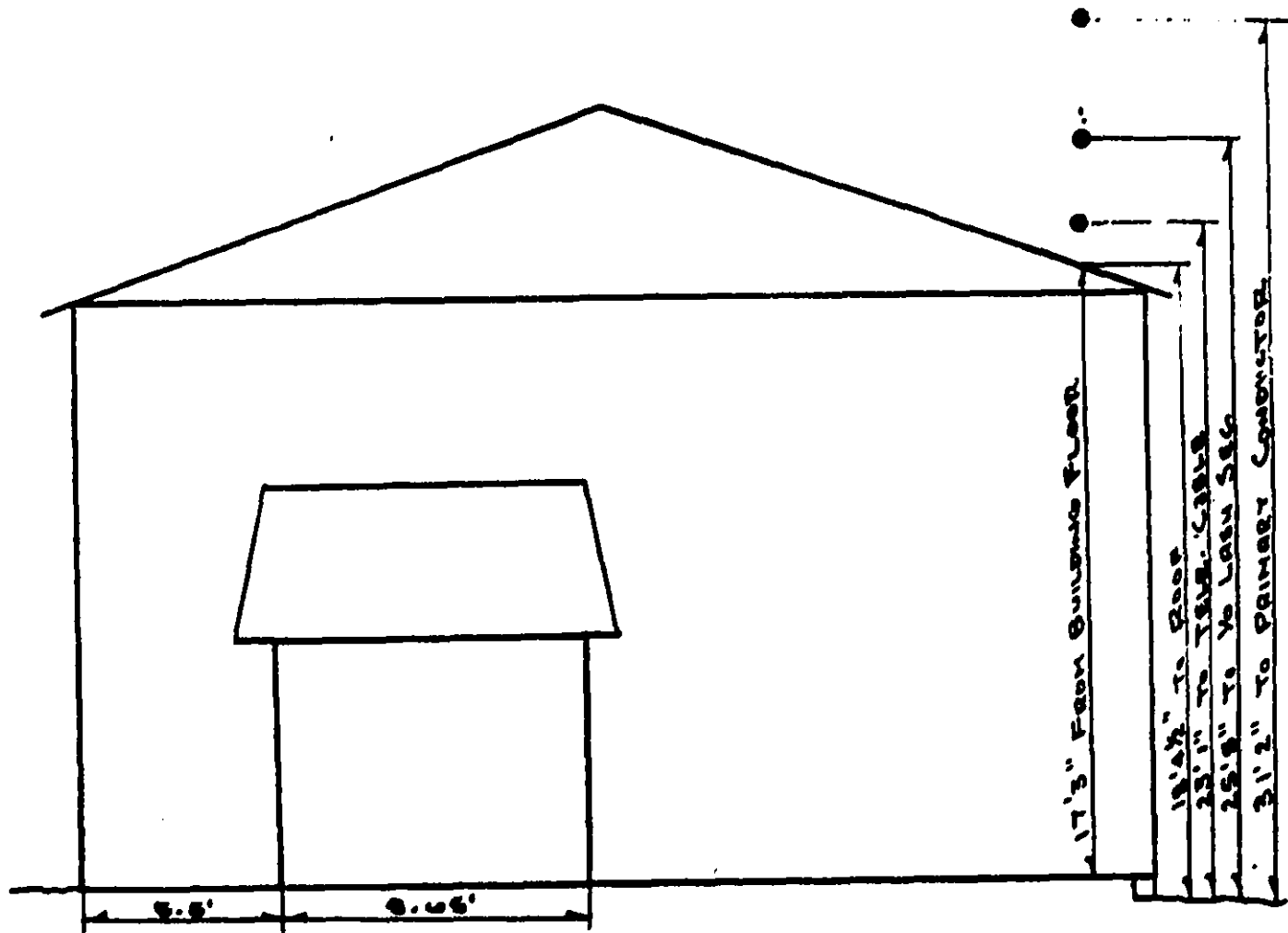
HAZARD

KENTUCKY

JOHNNY MINKS
ACCIDENT ON 7-20-89
VED, **KY.**

LENGTH	N.E. OR L.O.
R.W. PUBLIC	W.D. NO.
R.W. PRIVATE	LINE NO.
R.O.W.	DISTRICT
DRAWN BY G.C.	TYPE LINE
SCALE NONE	TAKEN BY
DATE 7-24-89	MAP NO.

SURVEYED BY E.W., G.C., G.C.



KENTUCKY POWER COMPANY
ENGINEERING DEPARTMENT

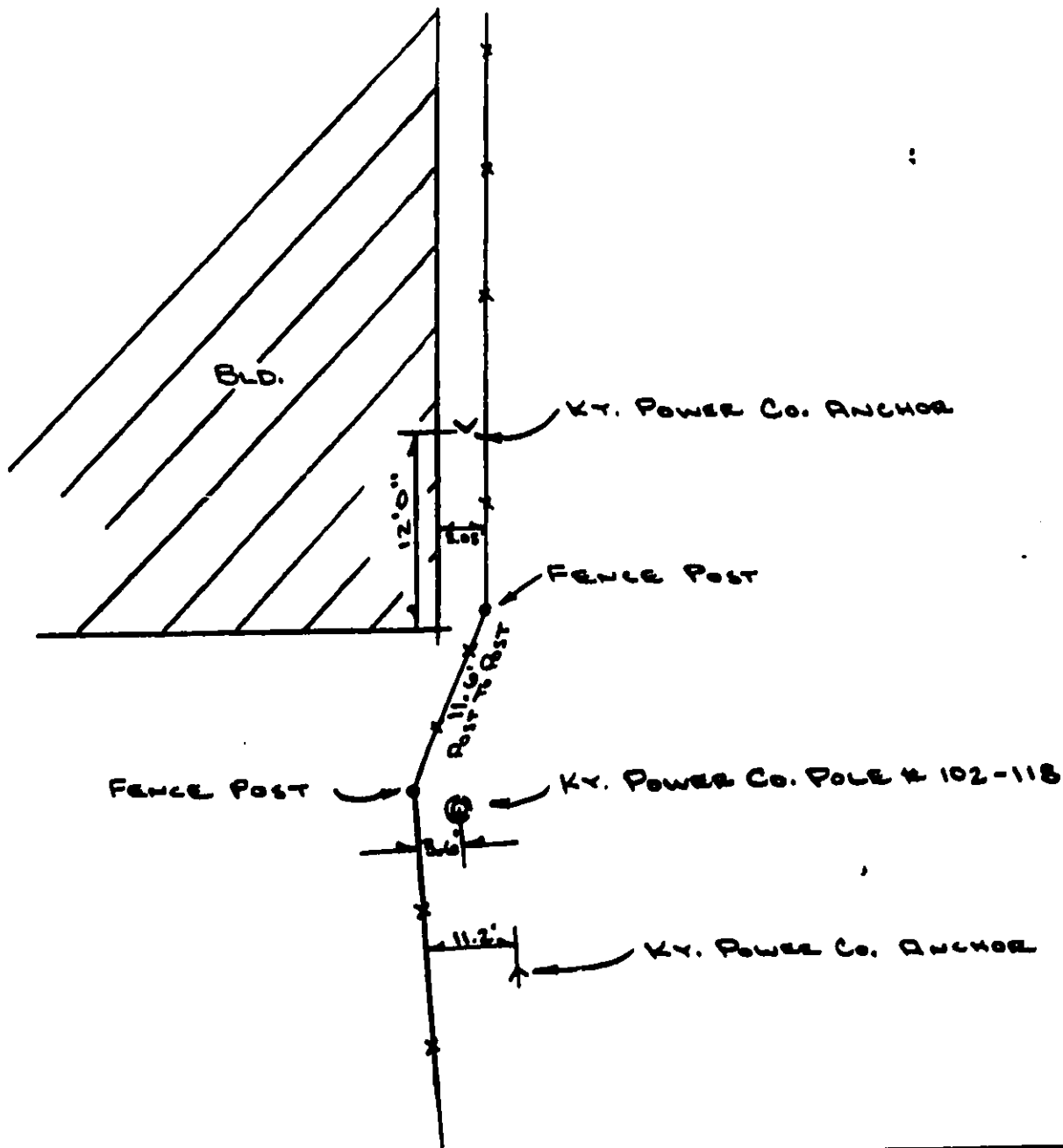
HAZARD

KENTUCKY

JOHNNY MINKS
ACCIDENT ON 7-20-89
NEO, KY.

LENGTH	N.O. OR L.O.
R.W. PUBLIC	W.O. NO.
R.W. PRIVATE	LINE NO.
R.O.W.	DISTRICT
DRAWN BY C.C.	TYPE LINE
SCALE 1/8"=1'-0"	TAX DIST.
DATE 7-25-89	MAP NO.

SURVEYED BY E.W., R.J.E., G.C.



KENTUCKY POWER COMPANY
ENGINEERING DEPARTMENT

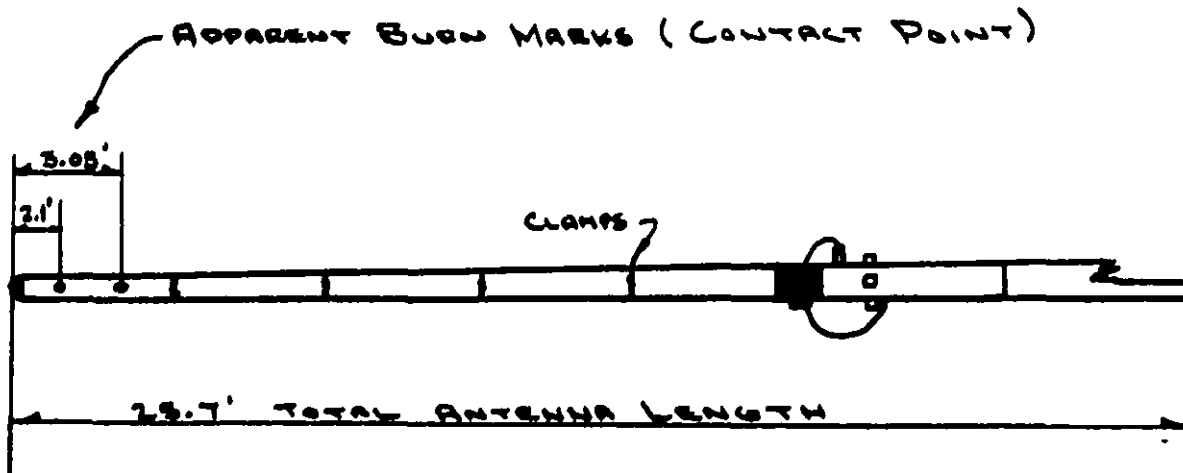
HAZARD

KENTUCKY

JOHNNY MINKS
ACCIDENT ON 7-20-89
NEE, KY.

LENGTH	R.O. OR L.O.
R.W. PUBLIC	W.O. NO.
R.W. PRIVATE	LINE NO.
R.O.W.	DISTRICT
DRAWN BY G.C.	TYPE LINE
SCALE NONE	TAX DIST.
DATE 9-28-89	MAP NO.

SURVEYED BY R.W., R.L., G.C.



KENTUCKY POWER COMPANY
ENGINEERING DEPARTMENT

HAZARD

KENTUCKY

JOHNNY MINKS
ACCIDENT ON 7-20-69
WED, KY.

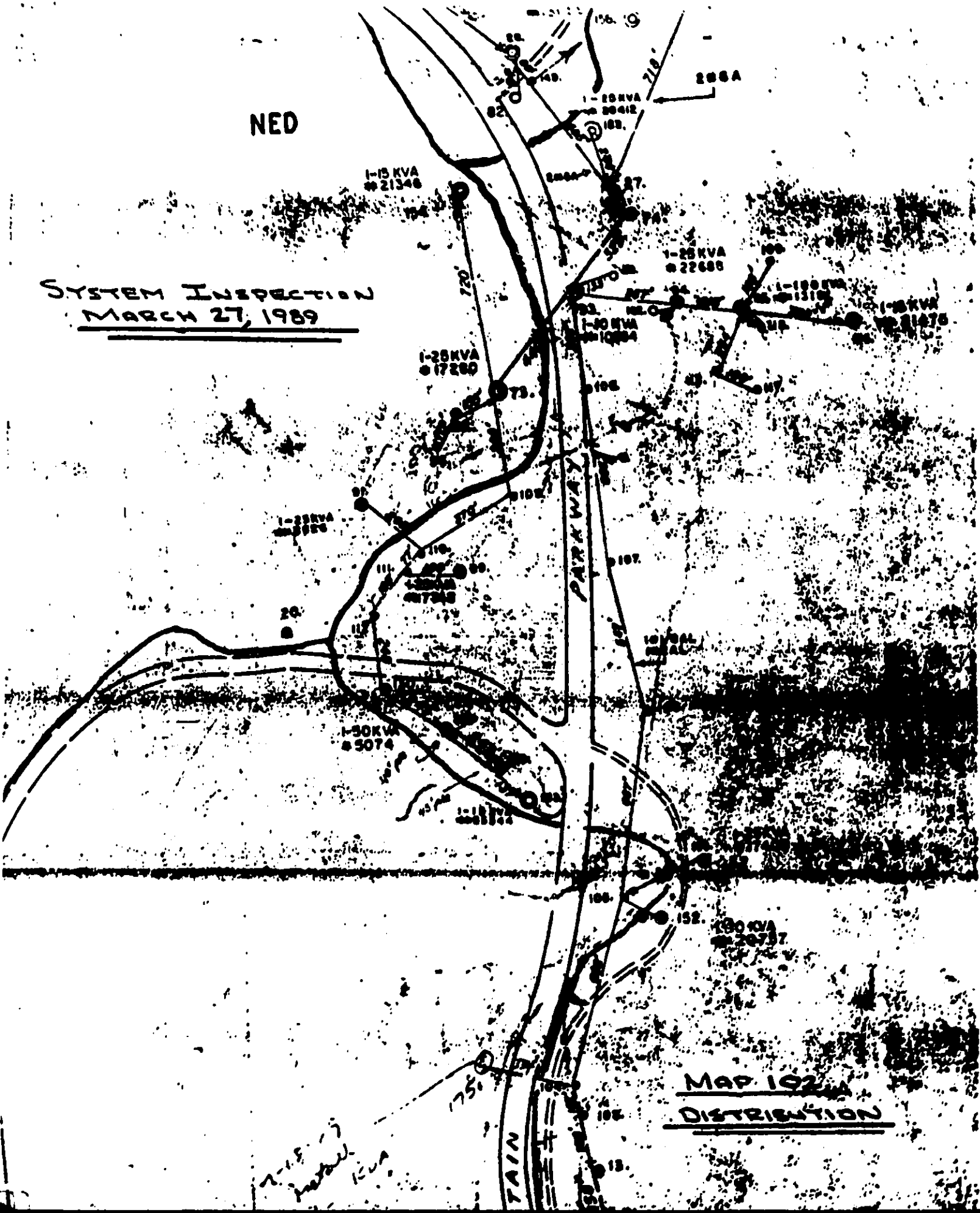
LENGTH	N.O. OR L.O.
R.W. PUBLIC	W.O. NO.
R.W. PRIVATE	LINE NO.
R.O.W.	DISTRICT
DRAWN BY G. C.	TYPE LINE
DATE 7-24-69	TAX RMT.
	MAP NO.

SURVEYED BY G.W., G.L., G.C.

1000

NED

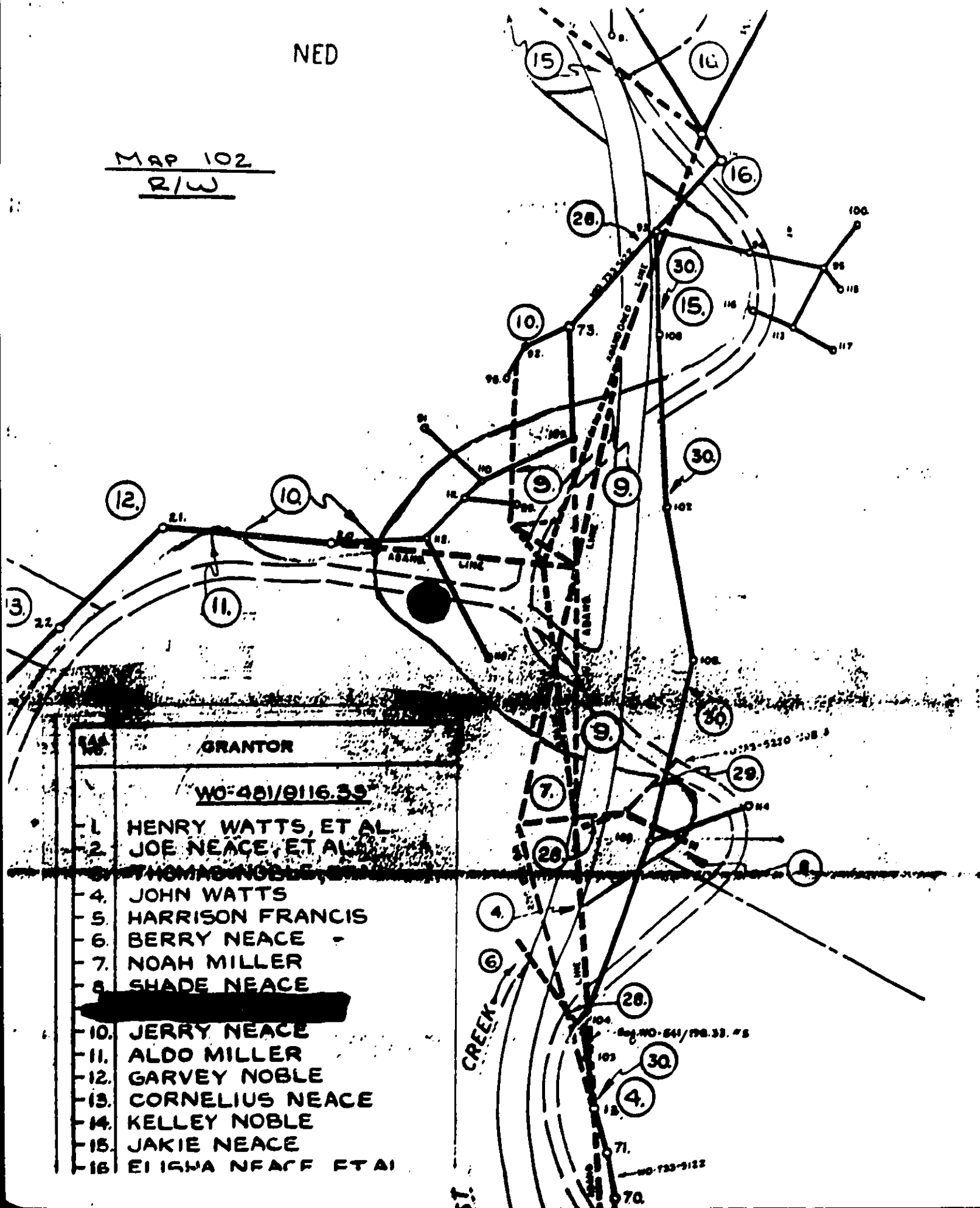
SYSTEM INSPECTION
MARCH 27, 1989



NED

MAP 102

R/W



GRANTOR

WO-481/9116.33

1. HENRY WATTS, ET AL
2. JOE NEACE, ET AL
3. THOMAS NOBLE
4. JOHN WATTS
5. HARRISON FRANCIS
6. BERRY NEACE
7. NOAH MILLER
8. SHADE NEACE
9. JERRY NEACE
10. ALDO MILLER
11. GARVEY NOBLE
12. CORNELIUS NEACE
13. KELLEY NOBLE
14. JAKIE NEACE
15. EIGHA NEACE ET AL

CREEK

WO-481/9116.33 #5

WO-733-9122

